

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID J. CATANZARO,	)	
	)	
Plaintiff,	)	
	)	Case No. 3:22-cv-1768-MEM
v.	)	
	)	
SPINN, INC.,	)	
	)	
	)	
Defendant.	)	

**SECOND JOINT MOTION TO EXTEND TIME FOR DEFENDANTS WALMART  
STORES, INC. AND WALMART.COM TO RESPOND TO PLAINTIFF’S COMPLAINT**

Plaintiff David J. Catanzaro (“Plaintiff”) and Defendants Walmart Stores, Inc. and Walmart.com (collectively, “Walmart”), by and through their undersigned counsel, respectfully request an Order permitting Defendant to file an answer or other pleading in response to the Third Amended Complaint in this matter by September 29, 2023. In support of this Motion, the parties jointly state as follows:

1. The parties have agreed to permit an additional extension of time for Walmart to answer, move, or otherwise respond to Plaintiff’s Third Amended Complaint, which was filed on or about November 21, 2022 and served on June 15, 2023, may be extended to September 29, 2023.
2. Good cause exists for the agreed upon extension as it will provide additional time for the parties to both discuss a potential resolution of the case and further investigate the Third Amended Complaint.
3. The parties agree that this Motion and/or the resultant extension does not constitute a waiver of any claim, right, or defense.

4. In accordance with M.D. Pa. R. 7.1, Plaintiff certifies that he has expressed concurrence with the relief requested and permits this Motion to be filed jointly.

5. A proposed Order is submitted herewith for the Court's consideration.

**Wherefore, it is respectfully requested that this honorable Court grant the Joint Motion of Plaintiff and Walmart to permit Walmart to answer or otherwise plead in response to Plaintiff's Third Amended Complaint on or before September 29, 2023.**

Respectfully submitted,

Dated: August 28, 2023

Dated: August 28, 2023

By: /s/ David J. Catanzaro

By: /s/ Stephen H. Barrett

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*Attorney for Defendants Walmart Stores, Inc.  
and Walmart.com*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 28th day of August, 2023, a copy of the foregoing was filed with the Court electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. Additionally, a copy of this filing was served on David J. Catanzaro via US Mail and electronic mail.

Dated: August 28, 2023

By: /s/ Stephen H. Barrett  
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